UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,703	03/29/2004	Takahiro Kurosawa	03500.018001.	9054

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EXAMINER
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ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/810,703	KUROSAWA ET AL.
	Examiner	Art Unit
	ALBERT H. CUTLER	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11,13-16,18-21 and 23-27* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11,13-16,18-21 and 23-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This office action is responsive to communication filed on June 30, 2008.

Information Disclosure Statement

2.   The Information Disclosure Statement (I.D.S.) submitted September 11, 2008

was received and has been considered by the Examiner.

Response to Arguments

3.   Applicant's arguments filed June 30, 2008 have been fully considered but they

are not persuasive.

4.   Applicant argues, with respect to claims 11, 16 and 21 that Igarashi et al. does

not teach or suggest basing the division of the moving picture data on the kind of control

of the camera.

5.   The Examiner respectfully disagrees. Igarashi et al. teaches that the image data

is divided based upon a reservation command. For example, see column 11, lines 28-

33. The reservation command ends with "P25T0Z3.mpg". This corresponds to the

camera having a pan of 25, a tilt of zero, and a 3x zoom, as is explained further in

column 4, lines 3-15. The Examiner interprets the panning, tilting, and zooming of the

camera to be a "kind of control of the camera", and moving picture division is based

upon at least this camera control.

6.   Applicant next argues, with respect to claims 26 and 27, that the combination of

Oya et al. and Choi does not teach dividing based on information indicating that the

display of the moving picture data is prohibited. Applicant additionally argues that the

Examiner has no motivation for combining the teachings of Oya et al. and Choi.

7.   The Examiner respectfully disagrees. Oya et al. teaches of dividing displayed

moving picture data between data that is permitted for display and data this is prohibited

from being displayed. For instance, see figure 34. Oya et al. also teaches that the

video range of the camera can be entirely overlapped with the display-not-permitted

area (column 17, lines 24-28), in which case the display will be blacked over. Choi

similarly teaches of a camera security system, and that unnecessary data captured by

the camera is not recorded (column 6, lines 19-37). The Examiner maintains that it

would have been obvious to a person having ordinary skill in the art at the time of the

invention to discard the blacked-over/display-not-permitted data (i.e. have the image

data divided based upon an area where display is prohibited) taught by Oya et al. as

unnecessary data as taught by Choi for the benefit of conserving space on the

recording medium (Choi, column 6, lines 33-37).

8.   Therefore, the rejection is maintained by the Examiner.

Claim Rejections - 35 USC § 102

9.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

10.   Claims 11, 13-16, 18-21 and 23-25 are rejected under 35 U.S.C. 102(b) as being

anticipated by Igarashi et al.(US 6,469,737).

Consider claim 11, Igarashi et al. teach:

A method of generating a moving picture file(See figures 3 and 6), the method including:

obtaining moving picture data taken by a camera, and information about a kind of a control of the camera corresponding to the moving picture data(See figures 3 and 6, column 4, lines 1-15, column 9, lines 49-59, column 11, line 23 through column 14, line 21. Picture data, which data can be "mpg" format, is obtained by a camera configuration along with information relating to the camera about the kind of control of the camera(See P25T0Z3, figure 3).);

determining a time point where the moving picture data is to be divided, based on the information about the kind of the control of the camera obtained at the obtaining step(See figure 6, column 10, lines 33-36, column 11, lines 24-57. A time point(i.e. image-sensing time) and a time interval can be designated for determining where the moving picture data is divided based upon the control information.);

dividing the moving picture data at the time point determined at the determining step, and generating a moving picture file from the divided moving picture data divided at the dividing step(See column 11, lines 23-57. Moving picture data is divided based upon the above-mentioned information, and such moving picture data is transmitted to a requesting external device as a file.).

Consider claim 13, and as applied to claim 11 above, Igarashi et al. further teach that the information about the kind of the control of the camera is information relating to

switching of the camera to another camera(See column 14, line 64 through column 15,

line 9. A plurality of different cameras can transmit a plurality of divided image files

having their own respective image-sensing conditions(i.e. their own control

information).).

Consider claim 14, and as applied to claim 11 above, Igarashi et al. further teach

that the information about the kind of control of the camera is information indicating that

one of pan, tilt, and zoom of the camera is being processed(figure 3, column 4, lines 1-

8).

Consider claim 15, and as applied to claim 11 above, Igarashi et al. further teach

that the information is one of movement information indicating movement toward a pre-

set position(Figure 3, column 4, lines 1-8. The pan, tilt, and zoom information indicate a

pre-set position.).

Consider claim 16, Igarashi et al. teach:

An apparatus(figure 7) for generating a moving picture file, comprising:

an obtaining device(1001) for obtaining moving picture data taken by a

camera(1003), and information about a kind of a control of the camera corresponding to

the moving picture data(See figures 3 and 6, column 4, lines 1-15, column 9, lines 49-

59, column 11, line 23 through column 14, line 21. Picture data, which data can be

"mpg" format, is obtained by a camera configuration along with information relating to

the camera about the kind of control of the camera(See P25T0Z3, figure 3).);

a determining device(1001) for determining a time point where the moving picture

data is to be divided, based on the information about the kind of the control of the

camera obtained by the obtaining device(See figure 6, column 10, lines 33-36, column

11, lines 24-57. A time point(i.e. image-sensing time) and a time interval can be

designated for determining where the moving picture data is divided based upon the

control information.);

a dividing device for dividing the moving picture data at the time point determined

by the determining device, and a generating device for generating a moving picture file

from the divided moving picture data divided by the dividing device(See column 11,

lines 23-57. Moving picture data is divided based upon the above-mentioned

information, and such moving picture data is transmitted to a requesting external device

as a file.).

Consider claim 18, and as applied to claim 16 above, Igarashi et al. further teach

that the information about the kind of the control of the camera is information relating to

switching of the camera to another camera(See column 14, line 64 through column 15,

line 9. A plurality of different cameras can transmit a plurality of divided image files

having their own respective image-sensing conditions(i.e. their own control

information).).

Consider claim 19, and as applied to claim 16 above, Igarashi et al. further teach that the information about the kind of control of the camera is information indicating that one of pan, tilt, and zoom of the camera is being processed(figure 3, column 4, lines 1-8).

Consider claim 20, and as applied to claim 16 above, Igarashi et al. further teach that the information is one of movement information indicating movement toward a pre-set position(Figure 3, column 4, lines 1-8. The pan, tilt, and zoom information indicate a pre-set position.).

Consider claim 21, Igarashi et al. teach:

A method of generating a moving picture file(See figures 3 and 6), the method including:

obtaining moving picture data taken by a camera, and information about a kind of a control of the camera corresponding to the moving picture data(See figures 3 and 6, column 4, lines 1-15, column 9, lines 49-59, column 11, line 23 through column 14, line 21. Picture data, which data can be "mpg" format, is obtained by a camera configuration along with information relating to the camera about the kind of control of the camera(See P25T0Z3, figure 3).);

determining a time point where the moving picture data is to be divided, based on the information about the kind of the control of the camera obtained at the obtaining step(See figure 6, column 10, lines 33-36, column 11, lines 24-57. A time point(i.e.

image-sensing time) and a time interval can be designated for determining where the

moving picture data is divided based upon the control information.);

dividing the moving picture data at the time point determined at the determining

step, and generating a moving picture file from the divided moving picture data divided

at the dividing step(See column 11, lines 23-57. Moving picture data is divided based

upon the above-mentioned information, and such moving picture data is transmitted to a

requesting external device as a file.).

Igarashi et al. further teach that the method can be stored as a program on a

computer readable medium(column 13, line 37 through column 14, line 21).

Consider claim 23, and as applied to claim 21 above, Igarashi et al. further teach

that the information about the kind of the control of the camera is information relating to

switching of the camera to another camera(See column 14, line 64 through column 15,

line 9. A plurality of different cameras can transmit a plurality of divided image files

having their own respective image-sensing conditions(i.e. their own control

information).).

Consider claim 24, and as applied to claim 21 above, Igarashi et al. further teach

that the information about the kind of control of the camera is information indicating that

one of pan, tilt, and zoom of the camera is being processed(figure 3, column 4, lines 1-

8).

Consider claim 25, and as applied to claim 21 above, Igarashi et al. further teach that the information is one of movement information indicating movement toward a pre-set position(Figure 3, column 4, lines 1-8. The pan, tilt, and zoom information indicate a pre-set position.).

Claim Rejections - 35 USC § 103

11.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12.   Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oya et al.(US 6,208,379) in view of Choi(US 5,986,695).

Consider claim 26, Oya et al. teach:

A method of generating a moving picture file(figure 35, column 17, line 21 through column 19, line 23), the method including:

obtaining moving picture data taken by a camera(S104), and information indicating that a display of the moving picture data is prohibited(S101);

determining a point where the moving picture data is to be divided, based on the information obtained at the obtaining step, the information indicating that the display of the moving picture data is prohibited(See figures 34-42, "display-not-permitted range");

dividing the moving picture data at the point determined at the determining step(See figures 34, 39 and 40-42); and

generating a moving picture file from the divided moving picture data divided at the dividing step(column 17, line 67 through column 18, line 11).

Oya et al. teach that the display-not-permitted range changes over time because the camera pans(column 17, lines 21-32).

However, Oya et al. do not explicitly teach dividing a moving picture and generating a moving picture file based on a time point of a display-not-permitted range.

Choi similarly teaches of a surveillance system(column 1, lines 16-21). Choi teaches that images obtained from cameras in the surveillance system can be recorded on a disk(column 3, lines 20-28).

However, Choi teaches that captured images are overwritten when captured at time points wherein the current scene viewed by the camera produces unnecessary image data(column 6, lines 18-37). That is, Choi teaches that the image file is divided to only include necessary image data, which image data is captured based upon a determined time point.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to divide the moving image file containing information indicating that the display of moving picture data is prohibited taught by Oya et al. based on a time point as taught by Choi for the benefit of conserving space in memory while still capturing useful image data(Choi, column 6, lines 33-37).

Consider claim 27, Oya et al. teach:

A computer readable medium which stores a program(column 20, lines 25-28) for executing a method of generating a moving picture file(figure 35, column 17, line 21 through column 19, line 23), the method including:

obtaining moving picture data taken by a camera(S104), and information indicating that a display of the moving picture data is prohibited(S101);

determining a point where the moving picture data is to be divided, based on the information obtained at the obtaining step, the information indicating that the display of the moving picture data is prohibited(See figures 34-42, "display-not-permitted range");

dividing the moving picture data at the point determined at the determining step(See figures 34, 39 and 40-42); and

generating a moving picture file from the divided moving picture data divided at the dividing step(column 17, line 67 through column 18, line 11).

Oya et al. teach that the display-not-permitted range changes over time because the camera pans(column 17, lines 21-32).

However, Oya et al. do not explicitly teach dividing a moving picture and generating a moving picture file based on a time point of a display-not-permitted range.

Choi similarly teaches of a surveillance system(column 1, lines 16-21). Choi teaches that images obtained from cameras in the surveillance system can be recorded on a disk(column 3, lines 20-28).

However, Choi teaches that captured images are overwritten when captured at time points wherein the current scene viewed by the camera produces unnecessary image data(column 6, lines 18-37). That is, Choi teaches that the image file is divided

to only include necessary image data, which image data is captured based upon a

determined time point.

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of the invention to divide the moving image file containing information

indicating that the display of moving picture data is prohibited taught by Oya et al. based

on a time point as taught by Choi for the benefit of conserving space in memory while

still capturing useful image data(Choi, column 6, lines 33-37).

Conclusion

13.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC
10/8/2008

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